

EXHIBIT B



Vivien B. Shelanski, Esq.

Vivien B. Shelanski, Esq. is a skilled mediator and arbitrator who has resolved hundreds of complex business/commercial, employment, construction, healthcare, entertainment, franchise, intellectual property, securities, real property, trusts and estates, technology, and telecommunications cases.

ADR Experience and Qualifications

- **Business/Commercial:** Contract and other business disputes involving public and closely-held companies in industries including financial services, entertainment, manufacturing, software, and telecommunications
- **Construction:** Multi-party claims involving various types of structures and issues, including claims of delay, design and work defects, cost overruns, breach of contract, and professional liability
- **Employment:** Individual and multi-party claims of discrimination (gender, age, race, religion, national origin, sexual orientation, and disability), retaliation, and harassment; ADA, FMLA, FLSA/wage-hour and ERISA claims; contract claims involving executive compensation, severance benefits, non-compete and non-solicitation agreements
- **Franchise:** Disputes among manufacturers and dealers or distributors regarding warranties, supplies, pricing, and services
- **Healthcare:** Malpractice claims against physicians and hospitals; dissolutions of medical practices; wrongful discharge claims by senior executives, physicians, and hospital employees
- **Intellectual Property:** Copyright, patent, trademark and trade secret disputes in industries including financial services, entertainment, publishing, advertising, software, and design-related businesses including textiles, apparel, jewelry, and hardware
- **Real Property:** Mortgage fraud claims against private lenders, government entities, and title companies; contract claims involving financing agreements for commercial and residential properties; commercial leasing disputes
- **Securities:** Fraud claims alleging misrepresentations in offering documents; investor claims against broker-dealers alleging churning, unauthorized trading, lack of suitability, and failure to supervise
- **Technology:** Disputes between software, hardware, and website specialists and the companies retaining their services
- **Trusts and Estates:** Disputes between trust beneficiaries, including family members and foreign institutions; disputes among family members about the operation and/or dissolution of family-owned businesses

Representative Matters

- Securities claims by pension-fund investors alleging misrepresentations and omissions in prospectus for initial public offering
- Construction dispute involving renovation of historic building facade with claims including defective design and construction, cost overruns, delay, and malpractice by architect and structural engineer
- Copyright dispute between designer of decorative hardware and manufacturers and distributors of allegedly infringing products
- Post-acquisition dispute between buyer and seller of educational services business alleging contract breaches pertaining to balance sheets, valuations, and representations and warranties
- Real estate dispute between healthcare clinic and owner of building being converted to a condominium, with respect to alleged breach of warranty of habitability

T: 212-751-2700
F: 212-751-4099

Case Manager

Doug Duzant
JAMS
620 Eighth Avenue
34th Floor
New York, NY 10018
T: 212-607-2787
F: 212-228-0222
dduzant@jamsadr.com

"Just a quick note to thank you for the incredible work you did for us and our clients... The case which for so long has plagued all involved settled largely because of your doggedness, determination, acumen and compassion."

- Discrimination claim by television personality on daytime show alleging that termination was based on race and age

Honors, Memberships, and Professional Activities

- Co-Editor, The College of Commercial Arbitrators Guide to Best Practices in Commercial Arbitration (3rd. Ed., Forthcoming)
- Fellow, College of Commercial Arbitrators; Panel of Mediators, United States District Court for the Eastern District of New York
- Fellow, College of Labor and Employment Lawyers
- Lecturer at New York University School of Law

Background and Education

- Assistant Circuit Executive for Legal Affairs, United States Court of Appeals for the Second Circuit, 1995-1998
- Acting Assistant Professor, New York University School of Law, Spring 1995
- Assistant Attorney General, New York State Department of Law, Real Estate Financing Bureau, 1992-1995
- Litigation Attorney, Cahill Gordon & Reindel, and Howard Darby & Levin, 1985-1992
- Law Clerk, Hon. Milton Pollack, United States District Judge, Southern District of New York, 1984-1985
- J.D., with honors, New York University School of Law, 1984
- Ph.D., Philosophy of Science, University of Chicago, 1970
- A.B., with honors, Bryn Mawr College, 1964

Disclaimer

This page is for general information purposes. JAMS makes no representations or warranties regarding its accuracy or completeness. Interested persons should conduct their own research regarding information on this website before deciding to use JAMS, including investigation and research of JAMS neutrals. [See More](#)